



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE REGIONAL
ADMINISTRATOR

MAY 23 2013

Ms. Kendall Miller
Native American Rights Fund
801 B Street, Suite 401
Anchorage, AK 99501

Dear Ms. Kendall Miller:

Thank you for your April 2, 2013, letter to the Environmental Protection Agency Acting Administrator Bob Perciasepe. On behalf of the Acting Administrator, we are responding to your request of the Native Village of Tyonek regarding the Chuitna Coal Development Project.

I appreciate you providing detailed information on the proposed project and the challenges faced by the NVT as a cooperating agency in the development of the Supplemental Environmental Impact Statement. We understand your concerns regarding potential impacts to ecological and cultural resources in the Chuitna River watershed from the proposed mine development. We appreciate your efforts to ensure that the SEIS will fully evaluate the potential impacts of the proposed action and alternatives.

As you know, EPA is participating in the development of the Chuitna Coal Project SEIS as a cooperating agency. We have dedicated EPA staff and have allocated contract resources to support this effort. Our goal is for our participation in the SEIS process to lead to a better understanding of potential environmental impacts of these activities on the watershed and ways to avoid or mitigate those impacts. We believe that this process is resulting in valuable data collection and analysis that would help to inform the EPA's and other agencies' evaluation of the proposed project. In your letter, you requested that EPA use its authority under Clean Water Act § 404(c) regarding the Chuitna Coal Development Project; EPA has not made any decision regarding the use of 404(c) or any other authority.

As memorialized in the November 2012 Memorandum of Understanding signed by Region 10 and the Native Village of Tyonek, we stand by our commitment to an ongoing government-to-government relationship with NVT throughout the Chuitna NEPA and regulatory review process. Further, we value NVT's role as a cooperating agency in the NEPA process and we look forward to continuing to work with NVT in that capacity.

Thank you again for your letter. If you have any questions, please do not hesitate to contact me at (206) 553-1234 or at mclerran.dennis@epa.gov. Also feel free to contact Jamey Stoddard, our Chuitna project lead at (206) 553-6110 or by email at stoddard.jamey@epa.gov.

Sincerely,

A handwritten signature in blue ink, which appears to read "Dennis J. McLerran", is positioned above the printed name.

Dennis J. McLerran
Regional Administrator